



ARKANSAS JUDICIARY

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Conduct in Jury Room

Upon retiring to the jury room to deliberate, the jury selects a foreperson. It is the foreperson's duty to act as the presiding officer; to see that the jury's deliberations are conducted in an orderly fashion; sign any written request made to the judge; ensure that the issues submitted for the jury's consideration are fully and fairly discussed; and that every juror has a chance to say what he or she thinks. The foreperson will oversee and count the vote. The person selected should be able to do all this fairly and efficiently.

Each juror shall discard all prejudices and sympathies. Each must follow the instructions of the court and render a verdict based on their best judgment. A juror may not approve of or agree with the law the judge has provided, but those should have no effect on the final decision. The jury is not deciding the law. The jury is solely deciding the facts. The verdict must be based only on the evidence and on the judge's instructions on the law; it must never be based on what the juror thinks the law ought to be.

Listen carefully to your fellow jurors' views and consider them with an open mind. There may be many different opinions to reconcile. You might change your mind after discussing the evidence and law with the other jurors, but you do not have to agree with anyone else. You should feel comfortable with your vote.

In a civil case, nine or more of the jurors must agree upon a verdict. In a criminal case, a verdict of guilty or not guilty must be unanimous. Sometimes it takes courage to disagree with the majority, but if that is what you feel, then you must honor your responsibility as a juror. The system relies on the strength of a jury being fair, impartial and objective.

Important: The information on this website is not intended to take the place of the instructions given by the judge in any case. Should you see a conflict, the trial judge's instructions will prevail.

Note: The pronouns, he, him, his, refer to both the male and female gender.

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